

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
EASTERN DIVISION**

RONNIE GILES,

PLAINTIFF,

V.

**CIVIL ACTION NO:
3:06-cv-00528-WKW-VPM**

MASTERBRAND CABINETS, INC.,

Opposed

DEFENDANT.

**PLAINTIFF'S MOTION FOR LEAVE TO FILE A REPLY BRIEF TO
DEFENDANT'S BRIEF IN OPPOSITION TO PLAINTIFF'S PETITION
FOR ATTORNEYS' FEES**

COMES NOW the Plaintiff, by and through undersigned counsel, and files this motion for leave to file a reply brief to Defendant's Brief in Opposition to Plaintiff's Petition for Attorneys' Fees.

1. Plaintiff files his Petition for Attorneys' Fees on November 30, 2007.
(Doc. 83).
2. Defendant filed its opposition to this Petition on January 9, 2008.
(Doc. 85).
3. Defendant's brief contains erroneous conclusions and assumptions that compel counsel to request a Reply Brief prior to the Court's rendering a decision on the fee petition.

4. For example, Defendant has agreed to an hourly rate for the undersigned and co-counsel no less than three weeks ago in another case. Foreman v. Masterbrand Cabinets, Inc., involved the same counsel for the plaintiffs, the same lead counsel for Defendant, the same Court, the same Courthouse, for the same years. Defendant now wishes to argue that counsel is due a lower hourly rate.

WHEREFORE, Premises Considered, Plaintiff moves this Court to allow Plaintiff to file a Reply Brief to Defendant's Opposition to Plaintiff's Petition for Attorneys' Fees.

Respectfully submitted,

/s/ Allen D. Arnold

Allen D. Arnold

OF COUNSEL:
ARENDALL & ASSOCIATES
2018 Morris Avenue, Third Floor
Birmingham, Alabama 35203
205.252.1550 - Office
205.252.1556 - Facsimile

CERTIFICATE OF SERVICE

I have filed the foregoing with the Clerk of the Court using the CM/ECF system on January 9, 2008, which will forward a copy to:

Mark J. Romaniuk
Kelley Bertoux Creveling

/s/ Allen D. Arnold

Of Counsel